1 2 3 4 5 6 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON 7 AT SEATTLE 8 REMINGTON DONAVAIR LEBEAUX, Case No. C10-1214-TSZ 9 Plaintiff, 10 v. ORDER OF DISMISSAL 11 BRIAN DENNEHY, 12 Defendant. 13 14 The Court, having reviewed plaintiff's complaint, the Report and Recommendation of the 15 Honorable James P. Donohue, United States Magistrate Judge, and the remaining record, does 16 hereby find and Order: 17 (1) The Court adopts the Report and Recommendation. 18 Defendant's motion to dismiss (Dkt. No. 13) is GRANTED. (2) 19 (3) Plaintiff's complaint and this action are DISMISSED, without prejudice, for 20 21 failure to prosecute pursuant to Local Rule CR 41(b)(2). 22 // 23 24 25 26 ORDER OF DISMISSAL PAGE - 1

(3) The Clerk is directed to send copies of this Order to plaintiff at his last known address, to counsel for defendant, and to Judge Donohue.

DATED this 8th day of March, 2011.

Thomas S. Zilly
United States District Judge

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